

**SUPREME COURT MINUTES
WEDNESDAY, FEBRUARY 25, 2009
SAN FRANCISCO, CALIFORNIA**

S155094 G036096/G036408/G036868

Fourth Appellate District, Div. 3

EPISCOPAL CHURCH CASES

The request for judicial notice, filed January 29, 2009, is granted.

The opinion is modified.

The petition for rehearing is denied.

S155094 G036096/G036408/G036868

Fourth Appellate District, Div. 3

EPISCOPAL CHURCH CASES

Opinion modified - no change in judgment

S169753 A120050 First Appellate District, Div. 4

**TVERBERG (JEFFREY) v.
FILLNER CONSTRUCTION,
INC.**

Petition for review granted (civil case)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S170266 G041525 Fourth Appellate District, Div. 3

**MOREHEAD (ROBERT) v.
S.C. (PEOPLE)**

Review granted; transferred to Court of Appeal, Fourth Appellate District, Division Three, to issue alt. writ

The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its order denying prohibition/mandate and to issue an alternative writ to be heard before that court when the proceedings are ordered on calendar.

The Orange County Superior Court's order of disclosure, entered on October 7, 2008, and stayed until February 27, 2009, in the case of, *People v. Robert Eldred Morehead*, Case No. M-10439, is hereby stayed pending further order of the Court of Appeal, insofar as the order authorizes the release of information, other than medical and psychological records specified in Welfare and Institutions Code section 6603, subdivision (c) and *Albertson v. Superior Court* (2001) 25 Cal.4th 796, 805.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S170269 G041523 Fourth Appellate District, Div. 3 **SEMENECK (JOHN) v. S.C. (PEOPLE)**

Review granted; transferred to Court of Appeal, Fourth Appellate District, Division Three, to issue alt. writ

The petition for review is granted.

The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its order denying prohibition/mandate and to issue an alternative writ to be heard before that court when the proceedings are ordered on calendar.

The Orange County Superior Court's order of disclosure, entered on October 7, 2008, and stayed until February 27, 2009, in the case of, *People v. John Patrick Semeneck*, Case No. M-9837, M-11240, and M-10477, is hereby stayed pending further order of the Court of Appeal, insofar as the order authorizes the release of information, other than medical and psychological records specified in Welfare and Institutions Code section 6603, subdivision (c) and *Albertson v. Superior Court* (2001) 25 Cal.4th 796, 805.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S170271 G041526 Fourth Appellate District, Div. 3 **SABATASSO (WILLIAM) v. S.C. (PEOPLE)**

Review granted; transferred to Court of Appeal, Fourth Appellate District, Division Three, to issue alt. writ

The petition for review is granted.

The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its order denying prohibition/mandate and to issue an alternative writ to be heard before that court when the proceedings are ordered on calendar.

The Orange County Superior Court's order of disclosure, entered on October 7, 2008, and stayed until February 27, 2009, in the case of, *People v. William Sabatasso*, Case No. M-11244, is hereby stayed pending further order of the Court of Appeal, insofar as the order authorizes the release of information, other than medical and psychological records specified in Welfare and Institutions Code section 6603, subdivision (c) and *Albertson v. Superior Court* (2001) 25 Cal.4th 796, 805.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S170273 G041511 Fourth Appellate District, Div. 3 **LEE (RICHARD A.) v. S.C. (PEOPLE)**

Review granted; transferred to Court of Appeal, Fourth Appellate District, Division Three, to issue alt. writ

The petition for review is granted.

The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its order denying prohibition/mandate and to issue an alternative writ to be heard before that court when the proceedings are ordered on calendar.

The Orange County Superior Court's order of disclosure, entered on October 7, 2008, and stayed until February 27, 2009, in the case of *People v. Richard Lee*, Case No. M-10639 and M-11412, is hereby stayed pending further order of the Court of Appeal, insofar as the order authorizes the release of information, other than medical and psychological records specified in Welfare and Institutions Code section 6603, subdivision (c) and *Albertson v. Superior Court* (2001) 25 Cal.4th 796, 805.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S170274 G041524 Fourth Appellate District, Div. 3 **RABUCK (ROSS) v. S.C. (PEOPLE)**

Review granted; transferred to Court of Appeal, Fourth Appellate District, Division Three, to issue alt. writ

The petition for review is granted.

The matter is transferred to the Court of Appeal, Fourth Appellate District, Division Three, with directions to vacate its order denying prohibition/mandate and to issue an alternative writ to be heard before that court when the proceedings are ordered on calendar.

The Orange County Superior Court's order of disclosure, entered on October 7, 2008, and stayed until February 27, 2009, in the case of, *People v. Ross William Rabuck, Jr.*, Case No. M-11029 and M-10338, is hereby stayed pending further order of the Court of Appeal, insofar as the order authorizes the release of information, other than medical and psychological records specified in Welfare and Institutions Code section 6603, subdivision (c) and *Albertson v. Superior Court* (2001) 25 Cal.4th 796, 805.

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S149364 E039251 Fourth Appellate District, Div. 2 **PEOPLE v. LOPEZ (ENRIQUE GARCIA)**

Transferred to Court of Appeal, Fourth Appellate District, Division Two, after hold

The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and reconsider the matter in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(d).)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S151518 E039316 Fourth Appellate District, Div. 2 **PEOPLE v. LAWYER (THOMAS MICHAEL)**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two

Review in the above-entitled matter is dismissed in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(b).)

Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S151595 E040413 Fourth Appellate District, Div. 2 **PEOPLE v. MENDEZ**
(LETICIA MARIE)

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two
Review in the above-entitled matters is dismissed in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(b).)
Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S151897 E040641 Fourth Appellate District, Div. 2 **PEOPLE v. NAVARRETTE**
(JESSE ALFONSO)

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two
Review in the above-entitled matters is dismissed in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(b).)
Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S151984 E040679 Fourth Appellate District, Div. 2 **PEOPLE v. DIAZ (JOSE)**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two
Review in the above-entitled matter is dismissed in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(b).)
Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S152525 E040791 Fourth Appellate District, Div. 2 **PEOPLE v. SALAS (RAFAEL**
EPIFANIO)

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two
Review in the above-entitled matter is dismissed in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(b).)
Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S152803 E040668 Fourth Appellate District, Div. 2 **PEOPLE v. GAMBOA**
(JORGE)

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two
Review in the above-entitled matter is dismissed in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(b).)
Votes: George, C. J., Kennard, Baxter, Werdegarr, Chin, Moreno, and Corrigan, JJ.

S153158 E040528 Fourth Appellate District, Div. 2 **PEOPLE v. WORNSTAFF
(FELICIA MARIE)**

Transferred to Court of Appeal, Fourth Appellate District, Division Two, after hold
The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and reconsider the matter in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(d).)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S153186 E040931 Fourth Appellate District, Div. 2 **PEOPLE v. SHELTON
(ROBERT)**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two
Review in the above-entitled matter is dismissed in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(b).)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S153517 E040521 Fourth Appellate District, Div. 2 **PEOPLE v. YOUNG
(MICHAEL THEODORE)**

Transferred to Court of Appeal, Fourth Appellate District, Division Two, after hold
The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and reconsider the matter in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(d).)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S153537 E040343 Fourth Appellate District, Div. 2 **PEOPLE v. VENCES
(ISMAEL)**

Transferred to Court of Appeal, Fourth Appellate District, Division Two, after hold
The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and reconsider the matter in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(d).)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S154604 E040844 Fourth Appellate District, Div. 2 **PEOPLE v. KING (RANDY
LEE)**

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two
Review in the above-entitled matter is dismissed in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(b).)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S154693 E040932 Fourth Appellate District, Div. 2 **PEOPLE v. SEPULVEDA**
(RUBEN ABRAM)

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two
Review in the above-entitled matter is dismissed in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(b).)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S154992 E040515 Fourth Appellate District, Div. 2 **PEOPLE v. GOMEZ**
(ABRAHAM)

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two
Review in the above-entitled matter is dismissed in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(b).)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S155465 E041047 Fourth Appellate District, Div. 2 **PEOPLE v. HEYDEN**
(MATTHEW DANIEL)

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two
Review in the above-entitled matter is dismissed in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(b).)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S155749 E041793 Fourth Appellate District, Div. 2 **PEOPLE v. ASHTON**
(CHRISTINA KIMBERLY)

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two
Review in the above-entitled matter is dismissed in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(b).)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S155957 E041043 Fourth Appellate District, Div. 2 **PEOPLE v. GURROLA**
(STEVEN)

Dismissed and remanded to Court of Appeal, Fourth Appellate District, Division Two
Review in the above-entitled matter is dismissed in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(b).)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S159754 E040617 Fourth Appellate District, Div. 2 **PEOPLE v. DODSON (MARK ANTHONY)**

Transferred to Court of Appeal, Fourth Appellate District, Division Two, after hold
The above-entitled matter is transferred to the Court of Appeal, Fourth Appellate District, Division Two, with directions to vacate its decision and reconsider the matter in light of this court's decision in *People v. Olguin* (2008) 45 Cal.4th 375. (Cal. Rules of Ct., rule 8.528(d).)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S160418 A115164 First Appellate District, Div. 2 **PEOPLE v. DEAN (RICHARD O'NEAL)**

Dismissed and remanded to Court of Appeal, First Appellate District, Division Two
In light of the decisions in *People v. Hernandez* (2008) 45 Cal.4th 295 and *In re Raymond C.* (2008) 45 Cal.4th 303, review in the above entitled matter is dismissed. (Cal. Rules of Court, rule 8.528(b)(1).)
Votes: George, C. J., Kennard, Baxter, Werdegar, Chin, Moreno, and Corrigan, JJ.

S168589 B203202 Second Appellate District, Div. 5 **PEOPLE v. GARRETT (CHRISTOPHER T.)**

Petition for review denied

S169061 B201672 Second Appellate District, Div. 6 **PEOPLE v. RUBIN (CRAIG X.)**

Petition for review denied

S169121 C050441 Third Appellate District **PEOPLE v. CHIU (BOBBY)**
Petition for review denied

S169164 E042860 Fourth Appellate District, Div. 2 **PEOPLE v. ALBERTI (MAURICE LEONARD)**

Petition for review denied

S169217 B199041 Second Appellate District, Div. 1 **GOLDBERG (MARTIN) v. AMCO INSURANCE COMPANY**

Petition for review & publication request(s) denied

S169252 H032546 Sixth Appellate District

Petition for review denied

**PEOPLE v. BADILLA
(BENJAMIN SALAZAR)**

S169254 H033105 Sixth Appellate District

Petition for review denied

**BADILLA (BENJAMIN
SALAZAR) ON H.C.**

S169287 B202400 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. ELLIOTT
(DARION)**

S169333 E043031/E045393 Fourth Appellate District, Div. 2 **PEOPLE v. RODRIGUEZ**

Petition for review denied

(SERGIO NAVARRO)

S169370 D050881 Fourth Appellate District, Div. 1

Petition for review & depublication request(s) denied
Kennard, J., is of the opinion the petition should be granted.

**SURREY (STEVEN) v.
TRUEBEGINNINGS LLC.**

S169378 B195725 Second Appellate District, Div. 8

Petition for review & depublication request(s) denied

**WATANABE (MARIA
TERESA) v. CALIFORNIA
PHYSICIANS' SERVICE**

S169386 H033433 Sixth Appellate District

Petitions for review denied

**C. (A.) v. S.C. (SANTA CLARA
COUNTY DEPARTMENT OF
FAMILY & CHILDRENS
SERVICES)**

S169400 E042064 Fourth Appellate District, Div. 2 **PEOPLE v. SIMS (KAREN LEE)**

Petition for review denied

Kennard and Werdegar, JJ., are of the opinion the petition should be granted.

S169412 B198875 Second Appellate District, Div. 4 **PEOPLE v. BOYLE (KENNETH MICHAEL)**

Petition for review denied

S169420 F053849 Fifth Appellate District **PEOPLE v. WRIGHT (DAYSON DALMARCO)**

Petition for review denied

Baxter, J., was recused and did not participate.

S169435 E046854 Fourth Appellate District, Div. 2 **TORRO (JIM ANTHONY) v. S.C. (PEOPLE)**

Petition for review denied

S169437 G038013 Fourth Appellate District, Div. 3 **PEOPLE v. CASTILLO (ROBERT)**

Petition for review & depublication request(s) denied

S169438 A121142/A121143 First Appellate District, Div. 1 **CANNON (KELVIN) ON H.C.**

Petitions for review denied; CA opinion decertified

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion in the above entitled appeal filed November 25, 2008, which appears at 168 Cal.App.4th 910.

(Cal. Const., art. VI, section 14; rule 8.1125(c)(1), Cal. Rules of Court.)

The petitions for review are denied.

Kennard and Werdegar, JJ., are of the opinion the petition should be granted.

S169443 E039986 Fourth Appellate District, Div. 2 **PEOPLE v. LONG (KIMBERLY LOUISE)**

Petition for review denied

Kennard and Corrigan, JJ., are of the opinion the petition should be granted.

S169449 E044655 Fourth Appellate District, Div. 2
Petition for review denied

W. (J.), IN RE

S169450 F051843 Fifth Appellate District
Petition for review denied

**PEOPLE v. ZAVALA
(GERARDO)**

S169495 A120225 First Appellate District, Div. 5
Petition for review & depublication request(s) denied

**SCHAFFER (JILL KAREN) v.
CITY AND COUNTY OF SAN
FRANCISCO**

S169521 B200456 Second Appellate District, Div. 4
Petition for review denied

**PEOPLE v. BRIDER
(SHAMAL)**

S169524 C055486 Third Appellate District
Petition for review denied

**PEOPLE v. GENOVESE
(MICHAEL ROBERT)**

S169562 B203615 Second Appellate District, Div. 8
Petition for review denied

**PEOPLE v. PICHARDO
(MARIO ALBERTO)**

S169599 B196894 Second Appellate District, Div. 8
Petition for review denied

**PEOPLE v. WILLIAMS
(BRYANT KEITH)**

S169625 A120505 First Appellate District, Div. 2
Petition for review denied

L. (T.), IN RE

S169638 B211065 Second Appellate District, Div. 8

Petition for review denied

**CANDELARIO (FERNANDO)
ON H.C.**

S169639 D051302 Fourth Appellate District, Div. 1

Petition for review denied

PEOPLE v. MALO (JIMMY S.)

S169642 H032762 Sixth Appellate District

Petition for review denied

**PEOPLE v. ROMAYOR
(SANDRA GUADALUPE)**

S169655 C058717 Third Appellate District

Petition for review denied

PEOPLE v. YANG (TENG)

S169681 B200696 Second Appellate District, Div. 1

Petition for review denied

**COLLINS (RUTH) v.
MCILHANY (WILLIAM H.)**

S169684 G039825 Fourth Appellate District, Div. 3

Petition for review denied

**NEVADA ATLANTIC
CORPORATION v. WREC
LIDO VENTURE LLC.**

S169695 B202506 Second Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HOUSTON
(JIMMY)**

S169707 B186725 Second Appellate District, Div. 3

Petition for review denied

**AEROSPACE DYNAMICS
INTERNATIONAL, INC. v.
FRIZE CORPORATION, INC.**

S169719 B196416 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. BAUTISTA
(EDGAR)**

S169732 F053666 Fifth Appellate District

Petition for review denied

**PEOPLE v. MARTINEZ
(EUGENE HOLGUIN)**

S169757 D052301 Fourth Appellate District, Div. 1

Petition for review denied

**SEASTROM (CRAIG) v.
NEWAYS, INC.**

S169758 B203350 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. FISCHETTO (BEN
LEVI)**

S169768 C057932 Third Appellate District

Petition for review denied

F. (K.), IN RE

S169770 H031215 Sixth Appellate District

Petition for review denied

**PEOPLE v. NGUYEN (LY
VAN)**

S169771 B205168 Second Appellate District, Div. 1

Petition for review denied

**BISHOP (REGGIE L.) v.
JONES (ALCUE)**

S169781 E044354 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. HODGE (MELVIN
LAMAR)**

S169789 F053725 Fifth Appellate District

Petition for review denied

**PEOPLE v. SERVIN
(CANDIDO JUARES)**

S169797 C057286 Third Appellate District

Petition for review denied

**PEOPLE v. SANCHEZ (PAUL
RICHARD)**

S169801 G040886 Fourth Appellate District, Div. 3

Petition for review denied

**PEOPLE v. SMITH (SKYLER
DAMON)**

S169806 A120352 First Appellate District, Div. 4

Petition for review denied

**COCOTIS (GREGORY S.) v.
CLANCY (PATRICK)**

S169807 B204012 Second Appellate District, Div. 2

Petition for review denied

**BLUE WATER SUNSET LLC.
v. FIRST VIEW LLC.**

S169809 A123559 First Appellate District, Div. 1

Petition for review denied

**STEWART (JOHN) v. S.C.
(DAVIS)**

S169814 B204810 Second Appellate District, Div. 3

Petition for review denied

**PEOPLE v. EGUILUZ
(RENZO FRANCISCO)**

S169815 F054239 Fifth Appellate District

Petition for review denied

Baxter, J., is recused and did not participate.

**PEOPLE v. GARCIA (PABLO
SANTOBANEZ)**

S169819	B201031 Second Appellate District, Div. 1	NILLO (ANGELINA & BONIFACIO A.), MARRIAGE OF
Petition for review denied		
S169823	B206482 Second Appellate District, Div. 2	PEOPLE v. BRIONES (LANDY ROBERT)
Petition for review denied		
S169825	A120578 First Appellate District, Div. 4	COVERSON (FRANK) v. SAN FRANCISCO UNIFIED SCHOOL DISTRICT
Petition for review denied		
S169831	B199029 Second Appellate District, Div. 4	HESSELGESSER (ROBERT) v. CITIBANK, N.A.
Petition for review denied		
Kennard and Corrigan, JJ., were recused and did not participate.		
S169834	G039700 Fourth Appellate District, Div. 3	STARBUCKS CORPORATION v. S.C. (LORDS)
Petition for review denied		
The request for judicial notice is denied.		
S169839	F056703 Fifth Appellate District	BABU (PRASSANA) v. S.C. (PEOPLE)
Petition for review denied		
S169843	B200984 Second Appellate District, Div. 3	PEOPLE v. ZEPEDA (NESTER GALLEGOS)
Petition for review denied		

S169848 B200770 Second Appellate District, Div. 2

**TRISLER (WILLIAM S.) v.
LOS ANGELES COUNTY
METROPOLITAN
TRANSPORTATION
AUTHORITY**

Petition for review denied

S169849 D053891 Fourth Appellate District, Div. 1

**PIC-A-BAGEL, INC. v.
WORKERS' COMPENSATION
APPEALS BOARD OF THE
STATE OF CALIFORNIA/
(HERCZ)**

Petition for review denied

S169851 H033064 Sixth Appellate District

**PEOPLE v. TORRES
(RODNEY CLIFFORD)**

Petition for review denied

S169854 H031371 Sixth Appellate District

**PEOPLE v. FREEMAN (JAY
DEE)**

Petition for review denied

S169856 B199922 Second Appellate District, Div. 3

PEOPLE v. PEREZ (RAFAEL)

Petition for review denied

S169857 F053617 Fifth Appellate District

**PEOPLE v. GUTIERREZ
(SALATIEL)**

Petition for review denied

S169864 E043967 Fourth Appellate District, Div. 2

**PRITCHARD (WILLIAM
MICHAEL) v. AVARELL
(VERNA)**

Petition for review denied

S169867 C056061 Third Appellate District

Petition for review denied

PEOPLE v. DILLION (DAVID JON)

S169874 F056710 Fifth Appellate District

Petition for review & application for stay denied

SANCHEZ (ADRIAN) v. S.C. (PEOPLE)

S169878 E043658 Fourth Appellate District, Div. 2

Petition for review denied

PEOPLE v. LOZA (NATHAN JOSEPH)

S169883 C054148 Third Appellate District

Petition for review denied

Chin, J., was recused and did not participate.

IVERS (THOMAS J.) v. ALLSTATE INSURANCE COMPANY

S169888 F055105 Fifth Appellate District

Petition for review denied

S. (T.), IN RE

S169890 G038374 Fourth Appellate District, Div. 3

Petition for review denied

PEOPLE v. BOLDEN (FREDERICK RANNEL)

S169895 F056694 Fifth Appellate District

Petition for review denied

ABEDI (MOHAMMAD) v. S.C. (PEOPLE)

S169897 B200019 Second Appellate District, Div. 3

Petition for review denied

PEOPLE v. RALJEVICH (DAVID JON)

S169899 B213226 Second Appellate District, Div. 1

Petition for review denied

**SIMS (THOMAS A.) v. S.C.
(PEOPLE)**

S169900 F053830 Fifth Appellate District

Petition for review denied

**PEOPLE v. GARZA (SERGIO
AGUILERA)**

S169903 B199087 Second Appellate District, Div. 8

Petition for review denied

P. (J.), IN RE

S169906 B188098 Second Appellate District, Div. 6

Petition for review denied

**PEOPLE v. NORIEGA
(JAMES MANUEL)**

S169908 E044792 Fourth Appellate District, Div. 2

Petition for review denied

**PEOPLE v. DORSEY (JERRY
W.)**

S169913 B213143 Second Appellate District, Div. 7

Petition for review denied

**GREEN, SR., (CLAUDELL)
ON H.C.**

S169921 B209036 Second Appellate District, Div. 2

Petition for review denied

**MOORE (CLENNON) v.
WORKERS'
COMPENSATION APPEALS
BOARD/(COUNTY OF LOS
ANGELES)**

S169923 B201296 Second Appellate District, Div. 8

Petition for review denied

**PEOPLE v. BRYAN (PAUL
KEITH)**

S169931 B198279 Second Appellate District, Div. 2 **PEOPLE v. SANDOVAL
(VALENTIN GONZALEZ)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Gaines*, S157008.

S169937 B189432 Second Appellate District, Div. 6 **PEOPLE v. RIZO (RODRIGO R.)**

Petition for review denied

S169941 B207751 Second Appellate District, Div. 2 **B. (J.), IN RE**
Petition for review denied

S169954 B201141 Second Appellate District, Div. 5 **PEOPLE v. HAKIMBEY
(IISAA)**

Petition for review denied

S169978 D054413 Fourth Appellate District, Div. 1 **MAHDAVI (KAMAL B.) v.
S.C. (CHOU)**

Petition for review denied

S169980 D048929 Fourth Appellate District, Div. 1 **PEOPLE v. GARIBAY (ANA M.)**

Petition for review denied

S169981 B212890 Second Appellate District, Div. 7 **JONES (WILLIE RAY) ON
H.C.**

Petition for review denied

S169985 B201998 Second Appellate District, Div. 2 **PEOPLE v. GARCIA
(ROBERT)**

The petition for review is denied without prejudice to any relief to which defendant might be entitled after this court decides *People v. Nguyen*, S154847.

S170021 F052958 Fifth Appellate District

Petition for review denied

**SHIRALIAN (JULIE &
SHAWN (BAHRAM),
MARRIAGE OF**

S170046 D051517 Fourth Appellate District, Div. 1

Petition for review denied

**ANDERSON (WILLIAM) v.
VISTA PIONEERS I, INC.**

S170071 C060795 Third Appellate District

Petition for review denied

**HOWARD JARVIS
TAXPAYERS ASSOCIATION
v. LEGISLATURE OF THE
STATE OF CALIFORNIA**

S170120

Petition for writ of mandate/prohibition denied1

**BENAVIDEZ (JOSE S.) v.
COURT OF APPEAL, THIRD
APPELLATE DISTRICT
(PEOPLE)**

S170144 G041470 Fourth Appellate District, Div. 3

Petition for review & application for stay denied

**COSTA MESA, CITY OF v.
S.C. (MOODY)**

S170526 A123949 First Appellate District, Div. 5

Petition for review & application for stay denied

**RAHIMI (SAYED BASHIR)
v. S.C. (SAN FRANCISCO
TAXI COMMISSION)**

S170539 A124011 First Appellate District, Div. 2

Petition for review & application for stay denied

**CUNNINGHAM
(ARCHIBALD) v. S.C.
(WANG)**

S163953

Petition for writ of habeas corpus denied

MIU (DANIEL) ON H.C.**S165691**

The petition for writ of habeas corpus is denied without prejudice to filing a petition for writ of habeas corpus in the trial court. (See *In re Lawrence* (2008) 44 Cal.4th 1181.)

LAUCELLA (ROBERT) ON H.C.**S165926**

Petition for writ of habeas corpus denied

MCNEIL (THOMAS ROBERT) ON H.C.**S166034**

Petition for writ of habeas corpus denied

WOODMAN (STEWART) ON H.C.**S166098**

Petition for writ of habeas corpus denied

OWEN (THOMAS) ON H.C.**S166132**

Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734; *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756.)

VAN SWAIT (ARTHUR) ON H.C.**S166165**

Petition for writ of habeas corpus denied

MCNEILL (JACK) ON H.C.**S166213**

Petition for writ of habeas corpus denied

RENTERIA (ISIAC NICHOLAS) ON H.C.

S166218**LAMAS (JOSE ISRAEL) ON
H.C.**

Petition for writ of habeas corpus denied

S166240**MYERS (MELTON LEE) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)**S166248****WEBER (JASON LEE) ON
H.C.**

Petition for writ of habeas corpus denied

(See *In re Robbins* (1998) 18 Cal.4th 770, 780; *In re Dixon* (1953) 41 Cal.2d 756.)**S166249****ROBERTSON (KEITH
ANDREW) ON H.C.**

Petition for writ of habeas corpus denied

S166258**WOOLRIDGE (JOSHUA
TODD) ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Miller* (1941) 17 Cal.2d 734.)**S166260****SCALES (DWAIN) ON H.C.**

Petition for writ of habeas corpus denied

S166261**SHELL (EDWARD VICTOR)
ON H.C.**

Petition for writ of habeas corpus denied

S166263**ALLEN (KADE) ON H.C.**

Petition for writ of habeas corpus denied

S166264

Petition for writ of habeas corpus denied

BAHENA (ENRIQUE) ON H.C.**S166269**

Petition for writ of habeas corpus denied

ALDREDGE (EL TOMAS DE CHASE) ON H.C.**S166274**

Petition for writ of habeas corpus denied

POUGH (DAVY KELVIN) ON H.C.**S166276**

Petition for writ of habeas corpus denied

VARNEY (AUSTIN) ON H.C.**S166278**

Petition for writ of habeas corpus denied

MCDANIEL (JOHN LEVON) ON H.C.**S166288**

Petition for writ of habeas corpus denied

GARCIA (JOSE LUIS NAVARRO) ON H.C.

(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Dixon* (1953) 41 Cal.2d 756; *In re Lindley* (1947) 29 Cal.2d 709.)

S166293

Petition for writ of habeas corpus denied

WELLS (JOHN) ON H.C.

(See *In re Swain* (1949) 34 Cal.2d 300, 304.)

S166294

Petition for writ of habeas corpus denied

CARDONA (MELECIO M.) ON H.C.

(See *In re Clark* (1993) 5 Cal.4th 750; *In re Robbins* (1998) 18 Cal.4th 770, 780.)

S166330

Petition for writ of habeas corpus denied

AYERS (ALFRED) ON H.C.**S166331**

Petition for writ of habeas corpus denied

**MOORE (JEROME L.) ON
H.C.****S166338**Petition for writ of habeas corpus denied
(See *In re Robbins* (1998) 18 Cal.4th 770, 780.)**RODRIGUEZ (ERNESTO) ON
H.C.****S166347**

Petition for writ of habeas corpus denied

**JONES (STEVEN ALLEN) ON
H.C.****S166465**

Petition for writ of habeas corpus denied

**ARMENDARIZ (ROBERT
TINO) ON H.C.****S166629**

Petition for writ of habeas corpus denied

**PENA (PASTOR MADERO)
ON H.C.****S167033**

Petition for writ of habeas corpus denied

TAYLOR (DARWIN) ON H.C.**S167418**Petition for writ of habeas corpus denied
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**ORTA (LUIS J.) ON H.C.**

S168049**DUKE (SCOTT HOWELL) ON
H.C.**

Petition for writ of habeas corpus denied

S168179**WOOLRIDGE (JOSHUA) ON
H.C.**Petition for writ of habeas corpus denied
(See *In re Miller* (1941) 17 Cal.2d 734.)**S168262****CYRUS (VICTOR RENARD)
ON H.C.**Petition for writ of habeas corpus denied
(See *In re Waltreus* (1965) 62 Cal.2d 218; *In re Robbins* (1998) 18 Cal.4th 770, 780.)**S169736****CLARK (RAYMOND) ON H.C.**Petition for writ of habeas corpus denied
(See *In re Dexter* (1979) 25 Cal.3d 921; *In re Swain* (1949) 34 Cal.2d 300, 304.)**S169826****CLARK (RAYMOND) ON H.C.**Petition for writ of habeas corpus denied
(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474; *In re Dixon* (1953) 41 Cal.2d 756; *In re Clark* (1993) 5 Cal.4th 750.)**S169858****CARLISLE (MELVIN) ON
H.C.**Petition for writ of habeas corpus denied
(See *In re Swain* (1949) 34 Cal.2d 300, 304.)**S170298****KOBE (STEPHEN) ON H.C.**

Petition for writ of habeas corpus denied

S170313**SNOW (WILLIAM) ON H.C.**

Petition for writ of habeas corpus denied

S170417**WALKER (ANTHONY NEAL)
ON H.C.**

Petition for writ of habeas corpus denied

(See *In re Swain* (1949) 34 Cal.2d 300, 304; *People v. Duvall* (1995) 9 Cal.4th 464, 474.)**S170231****PEOPLE v. FISHCETTI
(THOMAS JAMES)**

Depublication ordered

The request for depublication of the opinion of the Appellate Division of the Orange County Superior Court in this matter is granted.

The Reporter of Decisions is directed not to publish in the Official Appellate Reports the opinion filed December 18, 2008, and appearing at 170 Cal.App.4th Supp. 1. (Cal. Rules of Court, rule 8.1125.)

S169571

B201699 Second Appellate District, Div. 3

**AUTRY (KRISTEN) v. VILLA
RIVIERA CONDOMINIUM
ASSOCIATION**

Publication request denied (case closed)

S169706

B203727 Second Appellate District, Div. 4

**VENTIMIGLIA (GARY
VINCENT) v. BOARD OF
BEHAVIORAL SCIENCES
DEPARTMENT OF
CONSUMER AFFAIRS**

Depublication request denied (case closed)

S169827

A120115 First Appellate District, Div. 5

**MORALES (MICHAEL) v.
CALIFORNIA DEPARTMENT
OF CORRECTIONS &
REHABILITATION**

Depublication request denied (case closed)

The request for an order directing depublication of the opinion in the above-entitled appeal is denied.

The case will not be reviewed on the court's own motion. The matter is now final.

S169976 A117659 First Appellate District, Div. 4

Depublication request denied (case closed)

PEOPLE v. MORALES (JUAN JOSE)/(SACHER)

S170148

Publication request denied (case closed)

PEOPLE v. WILLIAMS (TERRY LYNN)

S169603 D052661 Fourth Appellate District, Div. 1

The time for granting or denying review in the above-entitled matter is hereby extended to April 9, 2009.

FABROS (REX FRANCO) ON H.C.

S045423

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Sara Theiss's representation that she anticipates filing the appellant's opening brief by March 2010, counsel's request for an extension of time in which to file that brief is granted to May 5, 2009. After that date, only five further extensions totaling about 300 additional days will be granted.

PEOPLE v. FUENTES (EDGARDO SANCHEZ)

S049741

Extension of time granted

Good cause appearing, and based upon counsel Jeffrey J. Gale's representation that he anticipates filing the appellant's reply brief by April 2009, counsel's request for an extension of time in which to file that brief is granted to April 24, 2009. After that date, no further extension is contemplated.

PEOPLE v. SUFF (WILLIAM LESTER)

S068230

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Jason Tran's representation that he anticipates filing the supplemental respondent's brief by May 19, 2009, counsel's request for an extension of time in which to file that brief is granted to April 20, 2009. After that date, only one further extension totaling about 30 additional days is contemplated.

PEOPLE v. BUTLER (RAYMOND OSCAR)

S095076**PEOPLE v. PENUNURI
(RICHARD)**

Extension of time granted

Good cause appearing, and based upon counsel Stephen M. Lathrop's representation that he anticipates filing the appellant's opening brief by March 2, 2010, counsel's request for an extension of time in which to file that brief is granted to April 24, 2009. After that date, only five further extensions totaling about 312 additional days are contemplated.

S097558**PEOPLE v. GARTON (TODD
JESSE)**

Extension of time granted

Good cause appearing, and based upon counsel Jeffrey J. Gale's representation that he anticipates filing the appellant's opening brief by the beginning of 2010, counsel's request for an extension of time in which to file that brief is granted to April 24, 2009. After that date, only five further extensions totaling about 300 additional days are contemplated.

S116307**PEOPLE v. FLORES III
(ALFRED)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to April 27, 2009.

S121365**SNOW (PRENTICE JUAN) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Sara M. Cohbra's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by September 15, 2009, counsel's request for an extension of time in which to file that document is granted to April 23, 2009. After that date, only three further extensions totaling about 140 additional days are contemplated.

S130263**GAY (KENNETH EARL) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Gary D. Soward's representation that he anticipates filing the traverse by July 27, 2009, counsel's request for an extension of time in which to file that document is granted to April 28, 2009. After that date, only two further extensions totaling about 90 additional days are contemplated.

S151222**LETNER (RICHARD LACY)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Jean R. Sternberg's representation that she anticipates filing the reply to the informal response to the petition for writ of habeas corpus by December 18, 2009, counsel's request for an extension of time in which to file that document is granted to April 20, 2009. After that date, only four further extensions totaling about 240 additional days are contemplated.

S160990**DEMETRULIAS (GREGORY
SPIROS) ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Federal Public Defender Brad D. Levenson's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by July 26, 2009, counsel's request for an extension of time in which to file that document is granted to April 24, 2009. After that date, only two further extensions totaling about 90 additional days are contemplated.

S162381**FARNAM (JACK GUS) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon counsel James Bisnow's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by May 21, 2009, counsel's request for an extension of time in which to file that document is granted to April 21, 2009. After that date, only one further extension totaling about 30 additional days is contemplated.

S163977**WILLIAMS (DEXTER
WINFRED) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Chuck Nacsin's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by July 22, 2009, counsel's request for an extension of time in which to file that document is granted to April 24, 2009. After that date, only two further extensions totaling about 90 additional days are contemplated

S165522 C051311 Third Appellate District**BARNETT (LEE MAX) v. S.C.
(PEOPLE)**

Extension of time granted

On application of the Federal Defender for permission to file Petitioner Barnett's Reply to the Attorney General's Reply Brief on the Merits, and good cause appearing, it is ordered that the time to serve and file Petitioner Barnett's Reply is extended to twenty (20) days after the Attorney General's Reply Brief on the Merits is filed.

S155651**ABILEZ (FRANK MANUEL)
ON H.C**

Motion for access to sealed record granted

Petitioner's "Application for an Order Allowing Counsel to Inspect and Copy Sealed and Confidential Transcripts in the Record on Appeal" filed January 28, 2009, is granted.

The clerk is directed to provide counsel for petitioner with a copy of the sealed reporter's transcript of the in camera proceeding of October 21, 1996 (10/21/96 Sealed RT 32-39) contained in the record in *People v. Abilez* (S066377).

Unless otherwise ordered by this court, the material described in this order is to remain under seal, and to the extent the parties quote, disclose, or describe this material in any court papers, those papers must be filed or lodged under seal.

S148204 H028783 Sixth Appellate District**PEOPLE v. MENTCH
(ROGER WILLIAM)**

Order filed

The motion to recall the remittitur, filed February 4, 2009, is denied without prejudice to appellant Roger Mentch filing an application in the Court of Appeal to recall that court's remittitur (Cal. Rules of Court, rule 8.272(c)), and without prejudice to the Court of Appeal's power to recall its remittitur and conduct such "further proceedings in the Court of Appeal" (*id.*, rule 8.272(b)(2)(A)) as it may deem warranted.

S169671

Petition denied

(accusation)

**TOWNSEL, ACCUSATION
OF****S169828**

Petition denied

(accusation)

**DANG & NGUYEN,
ACCUSATION OF****S169852**

Petition denied

(accusation)

**HAMILTON, ACCUSATION
OF****S169861**

Petition denied

(accusation)

BUTZ, ACCUSATION OF

Fourth Appellate District, Div. 2

TRANSFER ORDERS

The following matters, now pending in the Court of Appeal, Fourth Appellate District, are transferred from Division Two to Division Three:

- | | | |
|----|---------|-----------------------------|
| 1. | E044110 | People v. Stephen Julius |
| 2. | E046492 | People v. Steven Velderrain |
| 3. | E046865 | People v. Kent Craig |
| 4. | E044837 | People v. Jason Kirkley |
| 5. | E044868 | People v. Luis Villalon |
| 6. | E046448 | People v. James Marlow |
| 7. | E044259 | People v. Robert Garcia |
| 8. | E046409 | People v. Carlos Benitez |

